

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733



January 9, 1997

HERCULES REAL ESTATE CORP
ROBERT H MILLIS
11011 RICHMOND AVE STE 500
HOUSTON, TX 77042-

Dear Permittee:

This letter is being written to you because you have a National Pollutant Discharge Elimination System (NPDES) Baseline Industrial permit. Permittees subject to monitoring requirements pursuant to Parts VI.B.2.(a) and (d) are required to report their semi-annual monitoring analysis on Discharge Monitoring Reports (DMRs) by January 28, 1996. Permittees subject to monitoring requirements pursuant to Parts VI.B.2.(b), (e), and (f) are to report monitoring analysis on DMRs by April 28, 1996. Permittees subject to monitoring requirements pursuant to Parts VI.B.2.(c) were to have reported their monitoring analysis on DMRs by October 28th.

A second purpose for writing you is to remind Baseline Industrial permittees that your permit expires on midnight September 9, 1997. You will need to make arrangements to continue NPDES permit coverage for your industrial activity under another permit. Currently, the only other general permit available is the NPDES Multi-Sector storm water permit. You may obtain copies of the Multi-Sector storm water permit by phoning (202)260-7786 or on the Internet (see below). To switch from Baseline Industrial permit coverage to Multi-Sector permit coverage, complete the Notice of Termination (NOT) form for the Baseline Industrial permit and fill out the Notice of Intent (NOI) application form for the Multi-Sector permit. Both forms are enclosed with this letter. Be sure to return them together. You will be legally covered by the Multi-Sector permit 48 hours after the postmark of a correct and complete NOI. It is recommended that you send the application certified mail so you can prove when you sent it and that EPA received it. If you have questions about the Multi-Sector storm water permit, you can phone the Multi-Sector storm water hot line at (800)245-6510.

You can find further information about the storm water permits including permit language, guidance documents, and DMRs on the Internet at:
www.epa.gov/earth126/6en/w/sw/home.htm
pipes.ehsg.saic.com/storm.htm

If you wish to report violations of the Clean Water Act (e.g., someone who does not have a permit or someone that does have a permit, but they do not have a storm water pollution prevention plan), you may contact me at (214)665-7112. Unpermitted facilities are subject to civil penalties of \$25,000 per day per violation and permitted facilities violating their permit are subject to \$10,000 per day per violation. If you have questions about the NPDES permitting program, you can phone Mr. Lowell Seaton at (214)665-8304.

The following information comes from your NPDES permit application. Please verify that the following information is correct. This information will also assist you in completing an NOI for the Multi-Sector permit. If there are any errors, please contact the NOI Processing Center at (703)931-3230 or phone EPA Permits at (202)260-9541.

Permit	200002906	Latitude
SEC	6495	Longitude
Facility	HERCULES REAL ESTATE CORP	
	966 MARLIN	
	FREEPORT	TX 77541-
Name	ROBERT H MILLIS	
Phone	(713) 284-7583	

Sincerely,

Taylor M. Sharpe
Environmental Engineer
Compliance Assurance and Enforcement Division

HER 03105

NPDES
FORMUnited States Environmental Protection Agency
Washington, DC 20460Notice of Intent (NOI) for Storm Water Discharges Associated with Industrial
Activity Under a NPDES General Permit

Submission of this Notice of Intent constitutes notice that the party identified in Section II of this form intends to be authorized by a NPDES permit issued for storm water discharges associated with industrial activity in the State identified in Section III of this form. Becoming a permittee obligates such discharger to comply with the terms and conditions of the permit. ALL NECESSARY INFORMATION MUST BE PROVIDED ON THIS FORM.

I. Permit Selection: You must indicate the NPDES Storm Water general permit under which you are applying for coverage. Check one of these.

Baseline
Industrial☐Baseline
Construction☐Multi-Sector
(Group Permit)☐

II. Facility Operator Information

Name: _____ Phone: _____

Address: _____ Status of Owner/Operator: ☐

City: _____ State: _____ ZIP Code: _____

III. Facility/Site Location Information

Name: _____

Is the facility located on
Indian Lands? (Y or N)☐

Address: _____

City: _____ State: _____ ZIP Code: _____

Latitude: _____ Longitude: _____ Quarter: _____ Section: _____ Township: _____ Range: _____

IV. Site Activity Information

MS4 Operator Name: _____

Receiving Water Body: _____

If you are filing as a co-permittee,
enter storm water general permit number: _____SIC or Designated
Activity Code:

Primary: _____

2nd: _____

Is the facility required to submit monitoring data? (1, 2, 3, or 4)

☐If You Have Another Existing NPDES
Permit, Enter Permit Number: _____

Multi-Sector Permit Applicants Only:

Based on the instructions provided in Addendum H of the Multi-Sector permit, are species identified in Addendum H in proximity to the storm water discharges to be covered under this permit, or the areas of BMP construction to control those storm water discharges? (Y or N)

☐

Will construction (land disturbing activities) be conducted for storm water controls? (Y or N)

☐

Is applicant subject to and in compliance with a written historic preservation agreement? (Y or N)

☐

V. Additional Information Required for Construction Activities Only

Project Start Date: _____ Completion Date: _____

Estimated Area to be
Disturbed (in Acres): _____Is the Storm Water Pollution Prevention Plan
in compliance with State and/or Local
sediment and erosion plans? (Y or N)☐

VI. Certification:

The certification statement in Box 1 applies to all applicants.

The certification statement in Box 2 applies only to facilities applying for the Multi-Sector storm water general permit.

BOX 1

ALL APPLICANTS:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

BOX 2

MULTI-SECTOR STORM WATER GENERAL PERMIT APPLICANTS ONLY:

I certify under penalty of law that I have read and understand the Part I.B. eligibility requirements for coverage under the Multi-Sector storm water general permit, including those requirements relating to the protection of species identified in Addendum H.

To the best of my knowledge, the discharges covered under this permit, and construction of BMPs to control storm water run-off, are not likely to and will not likely adversely affect any species identified in Addendum H of the Multi-Sector storm water general permit or are otherwise eligible for coverage due to previous authorization under the Endangered Species Act.

To the best of my knowledge, I further certify that such discharges, and construction of BMPs to control storm water run-off, do not have an effect on properties listed or eligible for listing on the National Register of Historic Places under the National Historic Preservation Act, or are otherwise eligible for coverage due to a previous agreement under the National Historic Preservation Act.

I understand that continued coverage under the Multi-Sector general permit is contingent upon maintaining eligibility as provided for in Part I.B.

Print Name: _____

Date: _____

HER 03106



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

January 29, 1997

Hercules Real Estate Corp
Robert H Millis
11011 Richmond Ave Ste 500
Houston, Tx 77042-

Re: NPDES Permit No. TXR00F487

Dear Permittee:

The purpose of this letter is to clarify and expand upon a January 9, 1997, letter sent to you by Mr. Taylor Sharpe of the EPA Region 6 Compliance Assurance and Enforcement Division. The second paragraph of that letter indicated that you will need to make arrangements to continue NPDES permit coverage for your industrial activity under another permit. It also implied that you should immediately submit a Notice of Intent (NOI) for coverage under the multi-sector storm water general permit issued September 29, 1995, and terminate your coverage under the baseline general permit. PLEASE NOTE that this information does not include all permitting options that may be available to you by the time your permit expires.

You do not need to take any action at this time to change your coverage under EPA's storm water baseline general permit. You may remain covered by the baseline permit until September 9, 1997, with no further action on your part. In addition, if EPA has not reissued or replaced the permit by September 9, 1997, Part VII.B. of the baseline permit allows you to remain covered after the expiration date by submitting a new Notice of Intent between August 1, 1997, and September 9, 1997.

You do have a second option. Part II.A.6. of the multi-sector storm water general permit allows most facilities previously covered by the baseline permit to switch coverage to the multi-sector permit between June 13, 1997, and September 9, 1997. Facilities eligible for multi-sector permit coverage may switch to this newer permit (which is effective through September 2000) by filing a Notice of Intent for the newer permit.

HER 03107

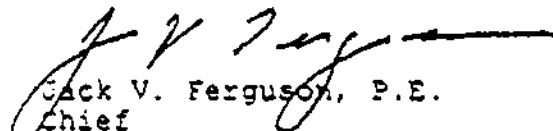
EPA is currently considering options in regard to the expiring baseline general permit. However, no final decisions have yet been made. Any action on the baseline general permit will go through EPA's normal permit notification and public comment period, at which time you will have the opportunity to provide input into this process. We do expect to begin action on this within the next two months and anticipate final action prior to September 9, 1997.

If, in response to the January 9th letter, you have already submitted a Notice of Intent to switch coverage to the multi-sector permit, you have two options. You may either withdraw the Notice of Intent and cancel the Notice of Termination you submitted, or do nothing and allow the switch to the multi-sector permit to take effect. You can get information on the storm water program and the multi-sector permit, including electronic copies of the permit, 24 hours a day from EPA's PIPES bulletin board, accessible via the Internet at <http://pipes.ehsg.saic.com/storm.htm> or modem (703-749-9216). Information on the baseline general permit, including blank discharge monitoring report forms, is available from EPA Region 6's Storm Water Page at:

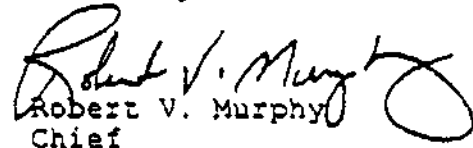
<http://www.epa.gov/earthlr6/6en/w/sw/home.htm>

We regret and apologize for any confusion or inconvenience you may have experienced. For further information, please contact Mr. Sharpe at 214-665-7112, or the Region 6 Storm Water Hotline at 800-245-6310.

Sincerely Yours


Jack V. Ferguson, P.E.
Chief
NPDES Permits Branch

Sincerely Yours


Robert V. Murphy
Chief
Water Enforcement Branch

HER 03108